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EXAMINER

PARTHASARATHY, PRAMILA

ART UNIT PAPER NUMBER

2136

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/878,824

Applicant(s)

GONG ET AL.

Examiner

Pramila Parthasarathy

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-11, 15-21 and 23-45 is/are rejected.
- 7) ☒ Claim(s) 8, 12-14, 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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***DETAILED ACTION***

***Response to Amendment***

1. This is in response to request for reconsideration filed on January 21, 2005. Original application contained Claims 1 – 45. Remarks filed on January 21, 2005 have been entered and made of record. Therefore, pending Claims 1 – 45 are presented for further consideration and examination.

***Claim Objections***

2. Claims 15 and 16 are objected to because of the following informalities: Replace “... at least one of the proxy server,” with “...at least one of the proxy servers”.

Appropriate correction is required.

***Response to Arguments***

3. Applicant's arguments filed 7/20/2005 have been fully considered but they are not persuasive for the following reasons.

Remarks contain errors with respect to “the features of a network acting on plural responses from protected servers and determining a preferred response to forward to

the service-requesting client were viewed as features not previously searched for” and also, with respect to patent numbers of the admitted prior art Cunningham et al. (U.S. Patent number should be 6,219,786).

During the interview, Ronal Rudder (Registration number 45,618) and Dan Stephenson described the instant application, in detail and agreed that invention was not claimed properly as filed on 6/11/2001 and agreed to amend the claims to distinguish over the prior art. Examiner pointed out that there was no direct or explicit communication from acceptance monitor with the protected server(s) as Dan Stephenson claimed and suggested that “plural response from protected servers” (emphasis added) should be properly claimed. During the interview, neither claims nor admitted prior arts were discussed (see interview summary, 7/25/2005).

4. Regarding independent Claim 1 and dependent claim 10 and 11, applicant argued that the cited prior art Cunningham et al. (U.S. Patent Number 6,219,786) do not disclose “scrutiny of the outgoing responses”. This argument is not persuasive. Applicant agrees that Cunningham discloses rule base monitoring and controlling network access both inside and outside a network and also, scrutiny of the incoming requests (see Remarks page 13 lines 8 – 18). Cunningham discloses steps of monitoring network by applying set of rules to determine the best outgoing response (Cunningham Column 8 line 26 – Column 9 line 18 and Column 10 line 52 – Column 11 line 48).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "scrutiny of the outgoing responses" and "plural responses from protected servers and determining a preferred response to forward to the service-requesting client") and are not recited in the rejected claims 1, 10 and 11. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

5. Therefore, the examiner respectfully asserts that the cited prior art does teach or suggest the subject matter "determine a preferred response from plural generated responses from a service requesting client", broadly recited in the amended independent claims 1, 2, 18 and 19. The dependent claims 3 – 17 and 20 – 45 are rejected at least by virtue of their dependency on the dependent claims and by other reason set forth in this office action.

Accordingly, the rejection for the pending claims 1 – 45 is respectfully maintained.

***Allowable Subject Matter***

6. Claims 8, 12 – 14 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1 – 7, 9 – 11, 15 – 21 and 23 – 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cunningham et al. (U.S. Patent number 6,219,786, hereafter “Cunningham”) in view of Reshef et al. (U.S. Patent Number 6,321,337).

8. Regarding Claim 1, Cunningham discloses and  
a proxy server configured to receive the incoming network service requests from the client and to forward said requests pursuant to a tolerance protocol to the protected servers (Cunningham Column 5 line 39 – Column 6 line 20);  
an acceptance monitor configured to receive from the protected servers one or more responses to the client request and applying one or more acceptance tests thereto (Cunningham Column 6 lines 1 – 25).

Cunningham discloses a third access (ballot) monitor for receiving the results from the acceptance monitors and validates the proxy server (firewall) along with acceptance monitors. Cunningham does not explicitly disclose that the third access monitor receiving from the acceptance monitor the results of the applied acceptance tests and determining a preferred response to the client request. However, Reshef discloses a security gateway (proxy) positioning between external environment and a trusted server that controls access through acceptance rules wherein the security gateway receives from the access monitor the results of the applied acceptance tests and determines a preferred response to the client request (Reshef Column 12 lines 19 – 54).

9. Motivation to combine the invention of Reshef with Cunningham comes from the need for providing a valid response by collecting responses from a variety of acceptance monitors and analyzing the response, Cunningham provide a discussion on the need for multiple acceptance rules but silent on ballot monitor, see Cunningham Column 6 lines 33 – 48. It would be obvious to one of ordinary skill in the art to combine Reshef with Cunningham because a consolidated response is needed for the results provided by the acceptance monitors of Cunningham and because Reshef provides some details of how a valid response is determined with access-rules, access lists and other relevant information.

**10. Regarding Claim 2, Cunningham discloses and describes**

a proxy server configured to receive incoming network service requests from the client and to forward said requests pursuant to a tolerance protocol to the protected servers (Cunningham Column 5 line 39 – Column 6 line 20);

an acceptance monitor configured to receive from the protected servers one or more of the plural responses and to apply one or more acceptance tests thereto (Cunningham Column 6 lines 1 – 25);

an intrusion sensor responsive to anomalies in operation of the network for and configured to detect threats to the network (Cunningham Column 6 lines 21 – 56 and Column 8 lines 10 – 48); and

an adaptive reconfigurer configured to alter the tolerance protocol and to reconfigure a network forwarding scheme among the proxy server, acceptance monitor and the ballot monitor in response to a predetermined condition (Column 6 lines 1 – 48 and Column 8 lines 26 – 53).

Cunningham discloses a third access (ballot) monitor for receiving the results from the acceptance monitors and validates the proxy server (firewall) along with acceptance monitors. Cunningham does not explicitly disclose that the third access monitor receiving from the acceptance monitor the results of the applied acceptance tests and determining a preferred response to the client request. However, Reshef discloses a security gateway (proxy) positioning between external environment and a trusted server that controls access through acceptance rules wherein the security gateway receives from the access monitor the results of the applied acceptance tests



and determines a preferred response to the client request (Reshef Column 12 lines 19 – 54).

**11.** Motivation to combine the invention of Reshef with Cunningham comes from the need for providing a valid response by collecting responses from a variety of acceptance monitors and analyzing the response, Cunningham provide a discussion on the need for multiple acceptance rules but silent on ballot monitor, see Cunningham Column 6 lines 33 – 48. It would be obvious to one of ordinary skill in the art to combine Reshef with Cunningham because a consolidated response is needed for the results provided by the acceptance monitors of Cunningham and because Reshef provides some details of how a valid response is determined with access-rules, access lists and other relevant information.

**12.** Regarding Claim 18, Cunningham discloses and describes  
receiving the incoming network service request and forwarding the request  
pursuant to a tolerance protocol (Cunningham Column 7 lines 1 – 14);

generating the plural response to the incoming network service request and  
forwarding the plural responses (Cunningham Column 7 lines 1 – 14);

applying one or more acceptance tests to the response and forwarding  
acceptance test results (Cunningham Column 7 line 56 – Column 8 line 9).

Cunningham discloses a third access (ballot) monitor for receiving the results  
from the acceptance monitors and validates the proxy server (firewall) along with

acceptance monitors. Cunningham does not explicitly disclose polling the test results to determine a preferred response based upon the poll. However, Reshef discloses a security gateway (proxy) positioning between external environment and a trusted server that controls access through acceptance rules wherein the security gateway receives from the access monitor the results of the applied acceptance tests and forwards a preferred response to the client request (Reshef Column 12 lines 19 – 54).

**13.** Motivation to combine the invention of Reshef with Cunningham comes from the need for providing a valid response by collecting responses from a variety of acceptance monitors and analyzing the response, Cunningham provides a discussion on the need for multiple acceptance rules but is silent on ballot monitor, see Cunningham Column 6 lines 33 – 48. It would be obvious to one of ordinary skill in the art to combine Reshef with Cunningham because a consolidated response is needed for the results provided by the acceptance monitors of Cunningham and because Reshef provides some details of how a valid response is determined with access-rules, access lists and other relevant information.

**14.** Regarding Claim 19, Cunningham discloses and describes  
receiving the incoming network service request and forwarding the request  
pursuant to a tolerance protocol (Cunningham Column 7 lines 1 – 14);  
generating the plural responses to the incoming network service request and  
forwarding the plural response (Cunningham Column 7 lines 1 – 55);

applying one or more acceptance tests to the plural responses and forwarding acceptance test results;

detecting any anomalies in operation of the network (Cunningham Column 8 lines 34 – 53); and

revising the tolerance protocol and a network forwarding scheme in response to an anomaly in operation of the network (Cunningham Column 8 line 54 – Column 9 line 13).

Cunningham discloses a third access (polling) monitor for receiving the results from the acceptance monitors and validates the proxy server (firewall) along with acceptance monitors. Cunningham does not explicitly disclose that the third access monitor receiving from the acceptance monitor the results of the applied acceptance tests and determining a preferred response to the client request. However, Reshef discloses a security gateway (proxy) positioning between external environment and a trusted server that controls access through acceptance rules wherein the security gateway receives from the access monitor the results of the applied acceptance tests and determines a preferred response to the client request (Reshef Column 12 lines 19 – 54).

**15.** Motivation to combine the invention of Reshef with Cunningham comes from the need for providing a valid response by collecting responses from a variety of acceptance monitors and analyzing the response, Cunningham provide a discussion on the need for multiple acceptance rules but silent on ballot monitor, see Cunningham

Column 6 lines 33 – 48. It would be obvious to one of ordinary skill in the art to combine Reshef with Cunningham because a consolidated response is needed for the results provided by the acceptance monitors of Cunningham and because Reshef provides some details of how a valid response is determined with access-rules, access lists and other relevant information.

**16.** Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Cunningham and Reshef disclose and describe wherein said proxy server further is configured to forward said incoming network service request to an acceptance monitor and a ballot monitor (Cunningham Column 7 lines 1 – 14 and Reshef Column 12 lines 19 – 54) .

**17.** Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Cunningham and Reshef disclose and describe wherein said proxy server comprises multiple independent proxy servers (Cunningham Column 6 lines 1 – 32; Column 8 lines 26 – 53 and Reshef Column 7 lines 10 – 28).

**18.** Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Cunningham discloses and describes, wherein said acceptance monitor comprises multiple independent acceptance monitors (Cunningham Column 6 lines 1 – 32 and Column 8 lines 26 – 53).

**19.** Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Cunningham and Reshef disclose and describe, wherein said ballot monitor comprises multiple independent ballot monitors (Reshef Column 7 lines 10 – 28).

**20.** Claim 9 is rejected as applied above in rejecting claim 1. Furthermore, Cunningham and Reshef discloses and describes, wherein said proxy server is configured to forward said incoming network service request to the at least one of the protected servers, the acceptance monitor and the ballot monitor (Cunningham Column 6 lines 1 – 32; Column 8 lines 26 – 53 and Reshef Column 7 lines 10 – 28).

**21.** Claim 10 is rejected as applied above in rejecting claim 1. Furthermore, Cunningham discloses and describes, wherein said acceptance monitor is configured to apply one or more acceptance tests taken from the group of satisfaction of requirements test, accounting test, reasonableness test or computer run time test (Cunningham Column 8 26 – Column 9 line 18).

**22.** Claim 11 is rejected as applied above in rejecting claim 1. Furthermore, Reshef discloses and describes, wherein said ballot monitor is configured to determine the preferred response using a process taken from the group of: simple majority voting, Byzantine agreement process, or adjudication process (Reshef Column 7 lines 10 – 28).

**23.** Claim 7 is rejected as applied above in rejecting claim 2. Furthermore, Cunningham discloses and describes wherein said intrusion sensor comprises a multiplicity of sensors configured to monitor predetermined operations of the network (Cunningham Column 6 lines 1 – 32; Column 8 lines 26 – 53).

**24.** Claim 15 is rejected as applied above in rejecting claim 2. Furthermore, Cunningham and Reshef discloses and describes, wherein at least one of the proxy server, the acceptance monitor, the ballot monitor, the intrusion sensor, and the adaptive reconfigurer comprises a separate and independent processor (Cunningham Column 6 lines 1 – 32; Column 8 lines 26 – 53 and Reshef Column 7 lines 10 – 28 and Column 8 lines 15 – 45).

**25.** Claim 16 is rejected as applied above in rejecting claim 2. Furthermore, Cunningham and Reshef discloses and describes, wherein two or more of the proxy server, acceptance monitor, ballot monitor, intrusion sensor and adaptive reconfigurer operate on a single processor (Cunningham Column 6 lines 1 – 32; Column 8 lines 26 – 53 and Reshef Column 7 lines 10 – 28 and Column 8 lines 15 – 45).

**26.** Claim 17 is rejected as applied above in rejecting claim 2. Furthermore, Cunningham and Reshef disclose and describe, wherein the adaptive reconfigurer is configured to reconfigure the network forwarding scheme to establish multiple

independent network forwarding paths (Cunningham Column 6 lines 1 – 32; Column 8 lines 26 – 53 and Reshef Column 7 lines 10 – 28 and Column 8 lines 15 – 45).

**27.** Claim 20 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes, wherein the receiving the incoming network service request further comprises:

receiving the incoming network service request at a proxy server (Cunningham Column 7 lines 1 – 14).

**28.** Claim 21 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein forwarding the incoming network service request to the at least one protected servers (Cunningham Column 5 lines – 51; and Column 10 lines 21 – 51).

**29.** Claim 23 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the receiving the incoming network service request further comprises forwarding the request on multiple independent paths (Column 6 lines 1 – 32 and Column 8 line 26 – Column 9 line 48).

**30.** Claim 24 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein of generating the plural responses comprises:

generating the plural responses at any of the protected servers (Column 6 lines 1 – 32).

**31.** Claim 25 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the forwarding the plural responses comprises:

forwarding the plural responses to an acceptance monitor (Column 6 lines 1- 32; Column 7 lines 15 – 25 and Column 8 lines 26 – 53).

**32.** Claim 26 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the forwarding the plural responses comprises:

forwarding the plural responses to multiple acceptance monitors (Column 6 lines 1 – 32 and Column 8 lines 26 – 53).

**33.** Claims 27 and 32 are rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes the forwarding the plural responses comprises:

forwarding the plural responses on multiple independent paths (Column 6 lines 1 – 32 and Column 8 line 26 – Column 9 line 48).



**34.** Claim 28 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the applying one or more acceptance tests comprise applying one or more acceptance tests at an acceptance monitor (Column 8 line 26 – Column 9 line 18).

**35.** Claim 29 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the applying one or more acceptance tests comprise applying independent acceptance tests to each of the plural response (Column 8 line 26 – Column 9 line 18).

**36.** Claim 30 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the forwarding the acceptance test results comprises:

forwarding the acceptance test results to a ballot monitor (Column 6 lines 1 – 32; Column 8 lines 26 – 53 and Reshef Column 7 lines 10 – 28).

**37.** Claim 31 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the forwarding the acceptance test results comprises:

forwarding the tests results to multiple ballot monitors (Column 6 lines 1 – 32; Column 8 lines 26 – 53 and Reshef Column 7 lines 10 – 28).

**38.** Claim 33 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the polling the acceptance test results comprises polling the acceptance test results at a ballot monitor (Column 6 lines 1 – 32 and Column 7 line 56 – Column 8 line 53).

**39.** Claim 34 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the polling the acceptance test results comprises applying multiple polling routines (Column 6 lines 1 – 32 and Column 7 line 56 – Column 8 line 53 and Reshef Column 7 lines 10 – 28).

**40.** Claim 35 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes wherein the polling the acceptance test results comprises applying multiple polling routines to responses from each of a multiplicity of ballot monitors (Column 6 lines 1 – 32 and Column 7 line 56 – Column 8 line 53 and Reshef Column 7 lines 10 – 28).

**41.** Claim 36 is rejected as applied above in rejecting claim 18. Furthermore, Cunningham discloses and describes a method for reconfiguring communication among network components to minimize the impact of intrusive events (Fig. 1, 2, 6 7; Summary and Column 5 line 8 – Column 11 line 50), wherein at least one of receiving an incoming network service request, generating the plural responses, applying one or more acceptance tests, polling the acceptance test results and forwarding the preferred response comprises: utilizing a separate processor to enhance independence of

operation and minimize the impact of the intrusive event (Column 7 line 56 – Column 8 line 53).

**42.** Claim 37 is rejected as applied above in rejecting claim 19. Furthermore, Cunningham discloses and describes wherein the revising the tolerance protocol and network forwarding scheme further comprises:

forwarding the plural responses on multiple independent paths (Column 6 lines 1 – 32 and Column 8 line 26 – Column 9 line 48).

**43.** Claim 38 is rejected as applied above in rejecting claim 19. Furthermore, Cunningham discloses and describes wherein the revising the tolerance protocol and network forwarding scheme comprises forwarding the plural responses to multiple independent acceptance monitors (Column 6 lines 1 – 32 and Column 8 lines 26 – 53).

**44.** Claim 39 is rejected as applied above in rejecting claim 19. Furthermore, Cunningham discloses and describes wherein the step of revising the tolerance protocol and network forwarding scheme comprises:

forwarding results of applied acceptance tests to multiple independent ballot monitors (Column 6 lines 1 – 32 and Column 8 lines 26 – 53 and Reshef Column 7 lines 10 – 28).

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**45.** Claim 40 is rejected as applied above in rejecting claim 19. Furthermore, Cunningham discloses and describes wherein the revising the tolerance protocol and network forwarding scheme comprises:

forwarding to multiple independent proxy servers (Column 6 lines 1 – 32 and Column 8 lines 26 – 53).

**46.** Claim 41 is rejected as applied above in rejecting claim 19. Furthermore, Cunningham discloses and describes wherein the revising the tolerance protocol and network forwarding scheme further comprises:

comparing any detected anomalies with known anomalies to identify a predetermined intrusion tolerance protocol (Column 6 lines 1 – 32 and Column 8 lines 26 – 53).

**47.** Claim 42 is rejected as applied above in rejecting claim 19. Furthermore, Cunningham discloses and describes wherein the revising the tolerance protocol and network forwarding scheme comprises:

determining an acceptance monitor that will be used to support the selected tolerance protocol (Column 8 line 54 – Column 9 line 48).

**48.** Claim 43 is rejected as applied above in rejecting claim 19. Furthermore, Cunningham discloses and describes wherein the revising the tolerance protocol and network forwarding scheme comprises:

determining a ballot monitors that will be used to support the selected tolerance protocol (Column 8 line 54 – Column 9 line 48).

**49.** Claim 44 is rejected as applied above in rejecting claim 19. Furthermore, Cunningham discloses and describes wherein the revising the tolerance protocol and network forwarding scheme comprises:

determining a proxy server that will be used to implement a selected tolerance protocol (Column 8 line 54 – Column 9 line 48).

**50.** Claim 45 is rejected as applied above in rejecting claim 19. Furthermore, Cunningham discloses and wherein the revising the tolerance protocol and network forwarding scheme comprises:

prioritizing multiple incoming network service requests (Column 8 line 54 – Column 9 line 48 and Column 10 line 32 – Column 11 line 46).

### ***Conclusion***

**51. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**52.** Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

**53.** The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific

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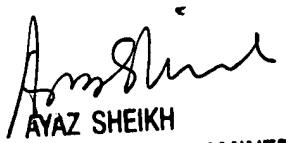
disclosure. If applicants are aware of any better prior art than those are cited, they are required to bring the prior art to the attention of the examiner.

**54.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-232-3795. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy

September 27, 2005.

  
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